



Application denied.

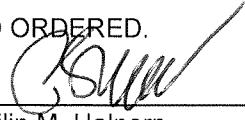
The Clerk of the Court is respectfully directed to terminate the pending motion sequence at Doc. 111 and mail a copy of this Order to Plaintiff.

STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIRECT DIAL: (212) 4

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: New York, New York
November 5, 2020

BY ECF

Hon. Philip M. Halpern
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

Re: Crichlow v. Annucci, No. 18 Civ. 3222 (PMH)

Dear Judge Halpern:

This Office represents defendants Anthony J. Annucci, Jeffrey Arliss, Michael Makowski, Timothy McCoy, Gary Sipple, William Cole, William Keyser, Timothy Fitzpatrick, Edward Burnett, William Holloran, Mark Puerschner, Christopher Karson, Wayne Jordan, George Gilmour, Michael Kohler, Richard Skseveland, Kyle Layton, David Buchanan, Renee Askew, Yelena Korobkova, James Moshier, Janice Wolf, Sandra Provx, and Lisa LaPenna (“Represented Defendants”) in the above-referenced case. I write to respectfully request a stay of the 33.2 Disclosures, which is currently November 13, 2020 (Dkt. No. 105), as well as a stay of the time to Answer for all Represented Defendants¹.

The grounds for this request are that our office anticipates filing a motion to dismiss on several claims against several Represented Defendants. Pursuant to Your Honor’s individual rules, a letter has been sent out to the Plaintiff on November 4, 2020. In lieu of an Answer, Represented Defendants anticipate filing a pre-motion letter on November 16, 2020.

The Second Amended Complaint is a handwritten eighty-page document (ECF No. 60, pages 1 – 80) and brings multiple claims as against 24 named defendants. The anticipated motion to dismiss will seek to dismiss many of the defendants, as well as many of the claims. Given the complexity of the Second Amended Complaint, it will be difficult to proceed with discovery and file an Answer until the motion is decided and the contours of the claims are clearly defined

¹ An answer for all Defendants, except Provx and LaPenna, is due November 16, 2020 (Dkt. No. 95). Defendants Provxs answer is due December 14, 2020 (Dkt. No. 109), and Defendant LaPenna’s answer is due December 12, 2020 (Dkt. No. 110).

Page 2

Represented Defendants accordingly respectfully request that the Court stay the deadlines to serve 33.2 Disclosures and file an Answer. This is the first request for a stay of these deadlines. I did not request the consent of incarcerated plaintiff pro se for this stay because of the difficulties communicating by mail and I wanted to make this request forthwith as the deadlines are approaching.

Respectfully submitted,
/s Jessica Acosta-Pettyjohn
Jessica Acosta-Pettyjohn
Assistant Attorney General
Jessica.acosta-pettyjohn@ag.ny.gov

Cc: Kevin Damion Crichlow
08A3511
Auburn Corr. Facility
C-14-22
P.O. Box 618
Auburn, New York 13024